



U.S. Department of Justice

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NEWS RELEASE

September 3, 2010

RICHARD S. HARTUNIAN, United States Attorney, Northern District of New York, announces that **DR. FRANK H. BOEHM, JR.**, age 56, of Utica, New York, pled guilty this morning in U.S. District Court in Syracuse to a felony Information that charged him with conspiring to distribute and possess with intent to distribute prescription drugs, in violation of Title 21, United States Code, Section 846.

The Information further alleged that: (1) In order to earn illicit profits and other financial considerations from his medical practice, **DR. BOEHM**, a neurosurgeon, wrote and issued unlawful prescriptions to Co-conspirator Patients and Individual A for drugs containing controlled substances without a legitimate medical purpose and outside the usual course of professional practice; (2) **DR. BOEHM** prescribed Schedule II controlled substances to certain of his Co-conspirator Patients knowing that the Co-conspirator Patients would subsequently distribute these controlled substances to Individual A. Specifically, the Co-conspirator Patients filled the unlawful prescriptions written by **DR. BOEHM** at various pharmacies, and thereafter distributed the controlled substances obtained from such pharmacies to Individual A directly or to another co-conspirator Patient who then provided them to Individual A in exchange for money and other financial consideration; (3) Contrary to accepted medical practice, **DR. BOEHM** prescribed controlled substances to Co-conspirator Patients at their first medical appointment without conducting a physical examination of such individuals to verify the claimed illness or condition, or after conducting only a limited physical examination. In other instances, **DR. BOEHM** issued unlawful prescriptions for Schedule II controlled substances to Individual A despite obvious indications that Individual A was abusing and misusing the controlled substances he prescribed. These indications included, but were not limited to, the following: Individual A's self-reports of drug addiction and frequent excuses by Individual A describing lost prescriptions; (4) **DR. BOEHM** continued to prescribe excessive amounts of controlled substances to Individual A, knowing that such practice could result in overdose, dependence, addiction, and possibly death; (5) **DR. BOEHM** and the Co-conspirator Patients obtained income and other financial benefits from their illegal distribution of controlled substances.

As part of his plea agreement, **DR. BOEHM** admitted that because of his role in the conspiracy he is accountable for the distribution of 58 grams of Oxycontin/Oxycodone-based drugs. He also acknowledged in his plea agreement that he is subject to a sentencing enhancement because he abused his special position of trust and authority by being involved in this conspiracy.

DR. BOEHM further agreed to forfeit his New York State medical license and his DEA license to issue narcotic drugs.

DR. BOEHM faces a maximum of twenty 20 years imprisonment, up to a \$1,000,000 fine, and at least three years of supervised release following any period of incarceration. Sentencing is scheduled for January 24, 2011, at 10:00 a.m. in Syracuse, New York, before the Honorable Norman A. Mordue.

This prosecution resulted from a joint investigation conducted by the U.S. Drug Enforcement Administration (DEA), New York State Department of Health, Bureau of Narcotic Enforcement, Internal Revenue Service (IRS) and the Federal Bureau of Investigation (FBI).

This case is being prosecuted by Assistant U.S. Attorney, Geoffrey J. L. Brown. Further questions or inquiries may be directed to him at (315) 448-0695.

END OF NEWS RELEASE
